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May 7, 2025

Via ECF

The Honorable Naomi R. Buchwald
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: ***Cequel Communications, LLC d/b/a Suddenlink Communications v. Mox Networks, LLC, No. 21-cv-5577***

Dear Judge Buchwald:

Counsel for Plaintiff Cequel Communications, LLC d/b/a Suddenlink Communications and Defendant MOX Networks, LLC (together, the “Parties”) jointly write to respectfully request a further extension of the deadline to file a proposed schedule for the resolution of the outstanding claims in this matter. On August 23, 2024, the Court issued a Memorandum and Order (the “August 23 Order”) granting Plaintiff’s motion for summary judgment on its first three claims for breach of contract and denying Defendant’s cross-motion for partial summary judgment. *See* ECF No. 88. The Court directed the Parties, if unable to resolve the remaining claims, to file a proposed schedule for their resolution within 45 days of the August 23 Order. *Id.*

Since the August 23 Order, the Parties have engaged in good faith negotiations in efforts to resolve the remaining claims. The Parties have jointly requested extensions of the deadline to file the proposed schedule seven times, on October 4, 2024, October 21, 2024, November 22, 2024, January 17, 2025, February 27, 2025, March 28, 2025, and April 29, 2025. *See* ECF No. 89, 91, 93, 95, 97, 99, and 101. The Court granted all seven requests. *See* ECF No. 90, 92, 94, 96, 98, 100, and 102. The deadline to submit a proposed schedule is currently May 7, 2025.

Since the last extension request, the Parties have continued to engage in good faith settlement negotiations. The Parties are now finalizing a settlement agreement, which provides for, among other things, a settlement payment to be made within thirty (30) days of executing the agreement and a Stipulation of Dismissal With Prejudice to be filed with the Court within five (5) business days of the receipt of such payment.

Accordingly, the Parties respectfully request that the Court extend the time for the Parties to file a Stipulation of Dismissal With Prejudice to June 13, 2025. This is the Parties’ eighth request for an extension of this deadline and this request does not affect any other scheduled dates.

Application
granted
Lami
Naomi Buchwald,
USDC
5/8/25

Thank you for Your Honor's attention to this matter.

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